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Report of the Human Rights Council on its twenty-third special session

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I. Resolution adopted by the Human Rights Council at its twenty-third special session

S-23/1
Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and other relevant international human rights instruments,

Reaffirming that all States have the responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments to which they are a party,

Recalling the mandate of the Human Rights Council as set out in General Assembly resolution 60/251 of 15 March 2006,

Stressing the importance of all resolutions adopted by the General Assembly on measures to eliminate international terrorism, including resolutions 42/159 of 7 December 1987, 46/51 of 9 December 1991, 49/60 of 9 December 1994, 60/288 of 8 September 2006, 68/119 of 16 December 2013, 68/178 of 18 December 2013 and 69/127 of 18 December 2014, and reaffirming the commitments resulting from the United Nations Global Counter-Terrorism Strategy and its four pillars,

Recalling previous resolutions of the Commission on Human Rights on human rights and terrorism and the resolutions of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and Council resolution 18/10 of 29 September 2011 on human rights and issues relating to hostage-taking by terrorists,

Recalling also Security Council resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 2133 (2014) of 27 January 2014, the Convention on the Prevention and Combating of Terrorism adopted by the Organization of African Unity on 14 July 1999, the solemn declaration adopted on the occasion of the fiftieth anniversary of the Organization of African Unity / African Union, in May 2013, and the decision on Boko Haram adopted by the African Union Peace and Security Council on 23 May 2014,

Recalling further the statements by the President of the Security Council S/PRST/2014/17, made on 27 August 2014, and S/PRST/2015/4, made on 19 January 2015,

Welcoming the declaration of the African Union on Boko Haram, adopted on 31 January 2015 at the twenty-fourth ordinary session of the Assembly of African Union Heads of State and Government,

Welcoming also the conclusions of the meeting of Ministers of Foreign Affairs and of Defence on Boko Haram, of 20 January 2015, in Niamey,

Welcoming further the Yaoundé Declaration of States members of the Council for Peace and Security in Central Africa, on the fight against the terrorist group Boko Haram, of 16 February 2015,

Recalling the need to strengthen international, regional and subregional cooperation to efficiently prevent and counter terrorism and the conditions conducive to terrorism, including by strengthening the national capacity of the States concerned,

Reaffirming also that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing,

Expressing concern at the continuing increase in incidents of kidnapping and hostage-taking by terrorists and their impact on the realization and enjoyment of human rights,

Noting with deep concern that the activities of Boko Haram significantly disrupt the socioeconomic life of the populations in the north-eastern part of Nigeria and neighbouring areas of the Lake Chad Basin, in northern Cameroon, in Chad and the extreme east of the Niger,

Strongly condemning the heinous terrorist activities of Boko Haram, which endanger the peace, security and stability of the entire region,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality civilization or ethnic group,

Deeply concerned by the continued atrocities and abuses of international human rights law and violations of international humanitarian law committed by the terrorist organization Boko Haram, including those involving the targeting of civilians, including children, school girls, women, minority religious and ethnic groups, educational institutions, market places public transport, as well as the recruitment and use of children, sexual and gender based violence, the destruction and confiscation of public and private property, and the use of minors and forced recruitment of female suicide bombers, including children and female suicide bombers,

Emphasizing that, by committing these terrorist acts, Boko Haram gravely abuses human rights and violates international humanitarian law, radically hindering the full enjoyment of human rights and fundamental freedoms in the areas where these attacks take place,

Strongly condemning and also rejecting the cowardly abduction by Boko Haram, on 14 April 2014, of more than 200 girls from a school in the city of Chibok in the Borno State of Nigeria, whose fate remains unknown, as well as other subsequent abductions, and demands the immediate and unconditional release of the high school girls and other abductees and expresses its solidarity with their families,

Expressing its solidarity with the people of Nigeria, Cameroon, Chad and the Niger who suffer the hardships of the terrorist activities of Boko Haram, and takes note of the efforts of the Governments of Nigeria, Cameroon, Chad, the Niger and Benin to respond to such acts of terrorism,

Welcoming the leading role played by the African Union and by subregional organizations such as the Economic Community of West African States, the Economic Community of Central African States and the Lake Chad Basin Commission to address the threats posed by Boko Haram, and expressing support for their aim to fight the terrorist organization Boko Haram,

Declaring itself deeply concerned about the large number of displaced persons and refugees in Nigeria, Cameroon, Chad, the Niger and Benin,

1. *Condemns in the strongest terms* the gross abuses of international human rights law and violations of international humanitarian law perpetrated by the terrorist group Boko Haram;

2. *Calls upon* those who provide support and resources to Boko Haram to put an immediate end to any such support that is contrary to international human rights law, as well as relevant resolutions and decisions adopted by the General Assembly, the Security Council, the African Union, the Economic Community of West African States, the Economic Community of Central African States and the Lake Chad Basin Commission;

3. *Urges* all parties not to lend any legitimacy to terrorist acts;

4. *Calls for* increased collaboration of the international community with the States affected by the terrorist activities of Boko Haram to monitor and to dry up all possible sources of financing;

5. *Welcomes* the assistance provided by some States to African States in the fight against terrorism, and calls upon the international community to provide more active and multifaceted support for Cameroon, Chad, the Niger, Nigeria and any other State affected by the actions of the terrorist group Boko Haram on their request, and in close collaboration with their respective Governments;

6. *Further calls upon* States and the international community to support the multinational joint task force established by the African Union, as appropriate, for the deployment of the task force, which includes troops from Nigeria, Chad, Cameroon, the Niger and Benin, by providing the said task force with technical assistance;

7. *Calls for* the perpetrators of the heinous crimes committed by the terrorist group Boko Haram to be brought before the competent courts of the affected States to ensure that those responsible for abuses of human rights and violations of international humanitarian law, including attacks targeting civilians, are held accountable;

8. *Urges* States to protect human rights while fighting terrorism, including through increased cooperation and full implementation of relevant international conventions and resolutions, and highlights the need to strengthen coordination at the national, subregional, regional and international levels to reinforce the global response to terrorism;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights to collect information from affected States and in close cooperation and consultation with them, in order to prepare a report on violations and abuses of human rights and atrocities committed by the terrorist group Boko Haram in the States affected by such acts, with a view towards accountability, and to provide an oral update, as part of an interactive dialogue, to be held at the twenty-ninth session of the Human Rights Council and to submit a report for its consideration at its thirtieth session.

2nd meeting
1 April 2015

[Adopted without a vote.]

II. Organization of work of the twenty-third special session

1. Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.

2. On 26 March 2015, the Permanent Representative of Algeria to the United Nations Office and other international organizations in Geneva requested, on behalf of the Group of African States in Geneva, the convening of a special session of the Human Rights Council on 1 April 2015 in the light of the terrorist attacks and human rights abuses and violations committed by the terrorist group Boko Haram.

3. The above-mentioned request was supported by 19 States Members of the Human Rights Council: Algeria, Botswana, Brazil, Congo, Côte d'Ivoire, Ethiopia, France, Gabon, Ghana, Kenya, Morocco, Namibia, Nigeria, Pakistan, Paraguay, the Russian Federation, Sierra Leone, South Africa and Venezuela (Bolivarian Republic of). The request was also supported by four observer States of the Council: Cameroon, the Central African Republic, Djibouti and Mozambique.

4. In addition, the request was also supported by the following Member and observer States: Argentina, Benin, Chad, Cuba, the Niger, Senegal and Togo.

5. As more than one third of the membership of the Human Rights Council supported the above-mentioned request, the President of the Council, following consultations with the main sponsors, decided to convene an open-ended informative consultation on the conduct and organization of the special session on 30 March 2015, and the special session on 1 April 2015.

A. Opening and duration of the session

6. The Human Rights Council held its twenty-third special session at the United Nations Office at Geneva on 1 April 2015. It held two meetings during the session.

7. On 30 March 2015, at the open-ended informative consultation before the special session, at the request of the representative of Somalia, the Human Rights Council observed a minute of silence in memory of the late Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Somalia to the United Nations Office and other international organizations in Geneva, Yusuf Mohamed Ismail. The President of the Human Rights Council and the representatives of Algeria, on behalf of the Group of African States, and Somalia made statements.

8. On 1 April 2015, prior to the opening of the special session, at the request of the representative of Tunisia, on behalf of the Group of Arab States, the Human Rights Council also observed a minute of silence in memory of the late Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Somalia to the United Nations Office and other international organizations in Geneva, Yusuf Mohamed Ismail. The representatives of Algeria (on behalf of the Group of African States), Ethiopia, the European Union, Guatemala (on behalf of the Group of Latin American and Caribbean States), Sierra Leone, Tunisia (on behalf of the Group of Arab States) and the United States of America (on behalf of the Group of Western European and other States) made statements.

9. The twenty-third special session was opened by the President of the Human Rights Council.

B. Attendance

10. The special session was attended by representatives of States Members of the Human Rights Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

C. Officers

11. At its organizational session of the ninth cycle, on 8 December 2014, the Human Rights Council elected the following officers, who also served as officers for the twenty-third special session:

President:	Joachim Rücker (Germany)
Vice-Presidents:	Juan Esteban Aguirre Martínez (Paraguay) Filloreta Kodra (Albania) Mukhtar Tileuberdi (Kazakhstan)
Vice-President and Rapporteur:	Mothusi Bruce Rabasha Palai (Botswana)

D. Organization of work

12. Pursuant to paragraph 124 of the annex to Human Rights Council resolution 5/1, an open-ended informative consultation was held on 30 March 2015 in preparation for the twenty-third special session.

13. At its 1st meeting, held on 1 April 2015, the Human Rights Council considered the organization of its work, including speaking time limits, which would be three minutes for statements by States Members of the Council and two minutes for statements by observer States of the Council, observers for non-Member States of the Council and other observers. The list of speakers would be drawn up in chronological order of registration. States Members of the Council would be given the floor first, followed by observer States and observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, and observers of national human rights institutions and non-governmental organizations.

14. The special session was conducted in accordance with the relevant provisions contained in Human Rights Council resolution 5/1.

E. Resolution and documentation

15. The resolution adopted by the Human Rights Council at its twenty-third special session is reproduced in chapter I of the present report.

16. The list of documents issued for the twenty-third special session is contained in the annex to the present report.

F. Statements

17. At the 1st meeting, on 1 April 2015, the United Nations High Commissioner for Human Rights made a statement.

18. At the same meeting, a member of the Coordination Committee of Special Procedures of the Human Rights Council, Mireille Fanon-Mendès France, made a statement on behalf of the Coordination Committee.

19. Also at the same meeting, the High Representative of the African Union for Mali and the Sahel, Pierre Buyoya, made a statement on behalf of the African Union.

20. At the same meeting, statements were also made by the Minister for Foreign Affairs of Cameroon, Pierre Moukoko Mbonjo; the Minister of Justice and Human Rights of Chad, Mahamat Issa Halikimi; and the Permanent Secretary of the Ministry of Foreign Affairs of Nigeria, Danjuma Nanpon Sheni.

21. Also at the same meeting, on the same day, statements were made by the following States Members of the Human Rights Council: Algeria (on behalf of the Group of African States), Argentina, China, Côte d'Ivoire, Estonia, Ethiopia (on behalf of the Intergovernmental Authority on Development), Germany, Latvia (on behalf of the European Union, Albania, Bosnia and Herzegovina, Iceland, Liechtenstein, Montenegro, Serbia and the former Yugoslav Republic of Macedonia), Montenegro, Morocco (also on behalf of the members and observers of the International Organization of la Francophonie), Netherlands, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, Tunisia[1] (on behalf of the Group of Arab States), United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe[1] (on behalf of the Southern African Development Community).

22. At the same meeting, a statement was made by Denmark, an observer State of the Human Rights Council, also on behalf of Finland, Iceland, Norway and Sweden.

23. At the 2nd meeting, on the same day, statements were made by the following:

(a) States Members of the Human Rights Council: Botswana, Brazil, Congo, Cuba, Ethiopia, France, Gabon, Ghana, India, Ireland, Japan, Maldives, Mexico, Pakistan, Venezuela (Bolivarian Republic of), Viet Nam;

(b) Observer States of the Human Rights Council: Australia, Austria, Bahrain, Belgium, Benin, Burundi, Canada, Chile, Costa Rica, Czech Republic, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Greece, Guinea, Holy See, Iran (Islamic Republic of), Iraq, Israel, Italy, Jamaica, Jordan, Lebanon, Libya, Luxembourg, Malaysia, Mali, Mauritania, Mozambique, Nepal, Niger, Philippines, Poland, Senegal, Slovenia, Somalia, South Sudan, Spain, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, Togo, Turkey, Uruguay;

(c) Observers for intergovernmental organizations: Organization of Islamic Cooperation;

(d) Observers for non-governmental organizations: Amnesty International, Caritas Internationalis (International Confederation of Catholic Charities), Human Rights Watch, Indian Council of South America (CISA), International Federation for Human Rights Leagues, International Movement Against All Forms of Discrimination and Racism (IMADR), Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale, Rencontre africaine pour la défense des droits de l'homme, Tchad agir pour l'environnement, Union of Arab Jurists, United Nations Watch.

[1] Observer of the Human Rights Council speaking on behalf of Member and observer States.

G. Action on the draft proposal

24. At the 2nd meeting, on 1 April 2015, the representative of Algeria, on behalf of the Group of African States, introduced draft resolution A/HRC/S-23/L.1, sponsored by Algeria on behalf the Group of African States and co-sponsored by Argentina, Colombia, Estonia, France, Germany, New Zealand, the Philippines, Portugal, Saudi Arabia, Spain, the Syrian Arab Republic, Turkey, and the United Arab Emirates. Subsequently, Australia, Canada, Cyprus, Georgia, Greece, Hungary, Israel, Italy, Poland, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of) joined the sponsors.

25. At the same meeting, on the same day, the representative of Latvia, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

26. Also at the same meeting, in accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution. The Chief of the Programme Support and Management Services of the Office of the United Nations High Commissioner for Human Rights made a statement in relation to the budgetary implications of the draft resolution.

27. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

28. Also at the same meeting, the draft resolution was adopted without a vote. For the text of resolution S-23/1 as adopted, see chapter I.

III. Report of the Human Rights Council on its twenty-third special session

29. At the 2nd meeting, on 1 April 2015, the report was adopted ad referendum and the Rapporteur was entrusted with its finalization.

Annex

Documents issued for the twenty-third special session of the Human Rights Council

In the general series

A/HRC/S-23/1	Letter dated 26 March 2015 from the Permanent Representative of Algeria to the United Nations Office at Geneva addressed to the President of the Human Rights Council
A/HRC/S-23/2	Report of the Human Rights Council on its twenty-third special session